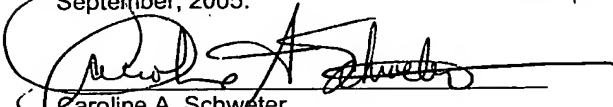


#5

CERTIFICATE OF MAILING

I hereby certify that this **RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)** is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP PCT, Commissioner of Patents, P.O. Box 1450, Arlington, VA 22313-1450 on this 27 day of September, 2005.


Caroline A. Schweter

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|---------------------------|---|------------------------------------|
| APPLICANT(S) | : | HIROFUMI KIKKAWA et al. |
| FOR | : | EXHAUST SMOKE PROCESSING SYSTEM |
| SERIAL NO. | : | 10/527,034 |
| INTERNATIONAL FILING DATE | : | September 8, 2003 |
| CONFIRMATION NO. | : | 5564 |
| ATTORNEY DOCKET NO. | : | KAWZ 200113 |

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

MAIL STOP PCT
Commissioner for Patents
P. O. Box 1450
Arlington, VA 22313-1450
Attn.: RO/US

Dear Sir:

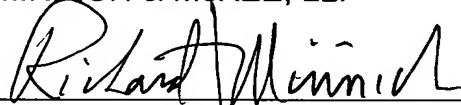
Responsive to the Notification of Missing Requirements (copy attached hereto) mailed August 31, 2005, Applicants submit an executed Declaration and Power of Attorney.

The \$130.00 fee in payment of the surcharge required under 37 CFR 1.16(e) for filing the Declaration later than the filing date of the application is authorized to be

charged to a credit card. The appropriate form PTO-2038 is enclosed for this purpose. If the credit card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP



Richard J. Minnich, Reg. No. 24,175
1100 Superior Avenue, Seventh Floor
Cleveland, OH 44114-2579
216-861-5582

September 26, 2005
Date

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RECEIVED Page 1 of 2

SEP 02 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

FAY, SHARPE, FAGAN,
MINNICH & MCKEE, LLP

UNITED STATES DEPARTMENT OF COMMERCE
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Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| | | |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/527,034 | Hirofumi Kikkawa | KAWZ 200113 |

| |
|-------------------------------|
| INTERNATIONAL APPLICATION NO. |
|-------------------------------|

PCT/JP03/11450

| | |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|

09/08/2003

09/09/2002

Richard J Minnich
Fay Sharpe Fagan Minnich & McKee
1100 Superior Avenue
7th Floor
Cleveland, OH 44114

CONFIRMATION NO. 5564
371 FORMALITIES LETTER
OC000000016879564
OC000000016879564

Date Mailed: 08/31/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/08/2005
- Copy of the International Search Report filed on 03/08/2005
- Copy of IPE Report filed on 03/08/2005
- Information Disclosure Statements filed on 03/08/2005
- U.S. Basic National Fees filed on 03/08/2005
- Priority Documents filed on 03/08/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

DOCKETED

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/527,034 | PCT/JP03/11450 | KAWZ 200113 |